

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant:	Anders Hoff, et al.	§	Group Art Unit:	2682
Serial No:	09/467,420	§	Examiner:	Duc M. Nguyen
Filed:	December 20, 1999	§	Confirmation No.:	2383

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Via EFS-Web

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

<u>CERTIFICATE OF MAILING OR TRANSMISSION</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or being transmitted via facsimile or EFS-Web to the USPTO on the date indicated below.	
Date:	August 27, 2008
	
Nancy U. Todd-Lamberti	

STATUS INQUIRY LETTER

Approximately forty (40) months have passed since the filing of a Status Inquiry dated May 14, 2003 and received by the OIPE on May 19, 2003 regarding the filing of a Petition for Withdrawal of Abandonment filed August 8, 2002 and received by the OIPE on August 13, 2002 for the referenced patent application. We have not received any form of response.

Please review this file. We have attached copies of the documents filed in 2002 and 2003, including copies of the return postcards. We request that you render the Abandonment void and provide us with a copy of the Notice of Allowance as requested in the Petition for Withdrawal of Abandonment in order that we may pay the issue fee.

Respectfully submitted,



Thomas Bethea, Jr.
Reg. No. 53,987

RECEIVED

MAY 27 2003

RECEIVED

Mailed: May 14, 2003

BDW:mco

Re: Applicant(s): Anders Hoff et al.

Serial No. 09/467,420

Filed: December 20, 1999

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Docket No.: 34647-00405USPT

The following documents were received in the PTO on the date stamped below:

- 1) Transmittal Letter (in duplicate);
- 2) Status Inquiry, with Status Inquiry Reply Form;
- 3) Self-addressed stamped envelope; and
- 4) Acknowledgment postcard.



DOCKETED
Int: JRS DT: 5/19/03
Status: Inq DT: 5/19/03
Action: DIS

Mailed: May 14, 2003

BDW:meo

Re Applicant(s): Anders Hoff et al.

Serial No. 09/467,420

Filed: December 20, 1999

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

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* DOCKETED
Int: 187 DT: 5/19/03
Action: Status Inq Date: 5/14/03

Jenkins & Gilchrist

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NEW YORK, NEW YORK
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PASADENA, CALIFORNIA
(626) 578-7400
SAN ANTONIO, TEXAS
(210) 246-5000
WASHINGTON, D.C.
(202) 326-1500

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: May <u>14</u> , 2003	
Signature	<u>Marcy Overstreet</u> Marcy Overstreet

Re: Applicant(s): Anders Hoff et al.
Serial No. 09/467,420
Filing Date: December 20, 1999
For: SIGNAL PRIORITIZATION IN A
COMMUNICATIONS SYSTEM
Docket No.: 34647-00405USPT

Dear Sir:

Transmitted for filing with the Patent and Trademark Office are the following documents for the above-referenced patent application:

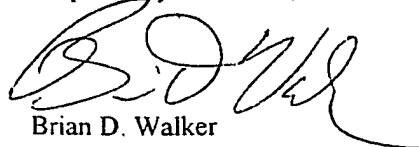
1. This Transmittal Letter (in duplicate);
2. Status Inquiry;
3. Stamped return-address envelope; and
4. Acknowledgment Postcard.

Please address all communications related to this to:

Brian D. Walker
Jenkins & Gilchrist
A Professional Corporation
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799

In the event there is an under or over payment, please debit or credit our Deposit Account #10-0447.

Respectfully submitted,


Brian D. Walker

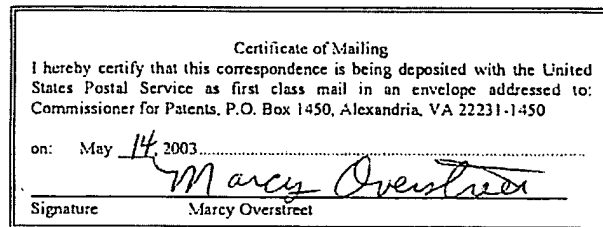
Date: May 14, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:)
Anders Hoff et al.) Confirmation No.: 2383
Serial No. 09/467,420) Examiner: Duc M. Nguyen
Filed December 20, 1999) Group No.: 2682

For SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

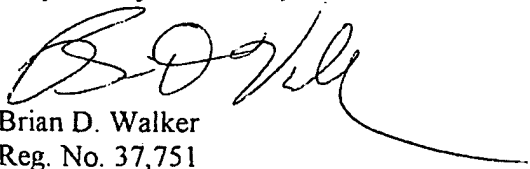


Dear Sir:

STATUS INQUIRY

Nine months have passed since the filing of the Petition for Withdrawal of the Holding of Abandonment without receiving a Reply thereafter. Kindly advise the undersigned of the present status of the application, by checking the appropriate box on the next page. A stamped return-addressed envelope is provided.

Respectfully submitted,


Brian D. Walker
Reg. No. 37,751

Dated: May 14, 2003
Jenkins & Gilchrist
A Professional Corporation
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
214/855-4706

STATUS INQUIRY REPLY

APPLICATION TITLE: SIGNAL PRIORITIZATION IN A COMMUNICATIONS
SYSTEM

INVENTOR(S): Anders Hoff et al.

Docket: 34647-00405USPT

Filed: December 20, 1999

APPLICATION SERIAL NO. 09/467,420 IS CURRENTLY

ASSIGNED TO GROUP 2682 AND AWAITS:

☐ ACTION BY THE EXAMINER (name: _____)

ART UNIT: _____, TELEPHONE NUMBER:

EXPECTED DATE OF ENTRY OF OFFICE ACTION _____

☐ APPLICANT'S RESPONSE TO THE OFFICE ACTION MAILED

INTELLECTUAL PROPERTY

AUG 20 2002

JENKENS & GILCHRIST

Mailed: August 8, 2002

BDW/AF/ljm

Re: Applicant(s): Anders Hoff et al.

Serial No. 09/467,420

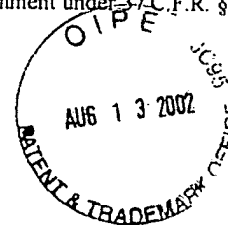
Filed: December 20, 1999

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Docket No.: 34647-405USPT

The following documents were received in the PTO on the date stamped below:

- 1) Transmittal letter (in duplicate);
- 2) Declaration of Jennifer E. Garth (executed) with attachment;
- 3) Petition for Withdrawal of the Holding of Abandonment under 37 C.F.R. § 1.181;
- 4) Acknowledgment Postcard.



* DOCKETED

Int: SW DT: 8/22/02

Petition 8/13/02
Action Orig

Mailed: August 8, 2002
Re: Applicant(s): Anders Hoff et al.
Serial No. 09/467,420

BDW/AF/ljm

Filed: December 20, 1999

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Docket No.: 34647-405USPT

The following documents were received in the PTO on the date stamped below:

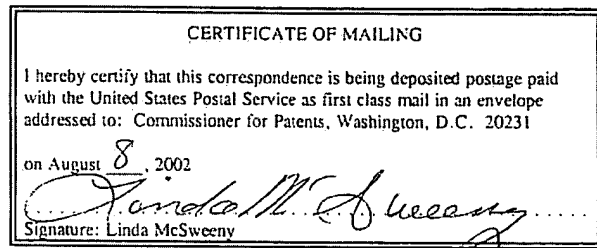
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- 2) Declaration of Jennifer E. Garth (executed) with attachment;
- 3) Petition for Withdrawal of the Holding of Abandonment under 37 C.F.R. § 1.181;
- 4) Acknowledgment Postcard.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re provisional patent application of: §
Anders Hoff et al. §
Serial No.: 09/467,420 § Group Art Unit: 2682
Filed: December 20, 1999 §
Examiner: D. Nguyen §

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Office of Petitions
To the Commissioner for Patents
Washington, D.C. 20231



TRANSMITTAL LETTER

Dear Sir:

This is a response/amendment/letter in the above-identified application and includes the transmitted herewith attachment(s) of the same date and subject which is/are incorporated hereunto by reference. The signature below is to be treated as the signature to the attachment(s) in absence of a signature thereto.

Transmitted herewith in the above-identified application is/are:

1. Transmittal Letter (in duplicate);
2. Declaration of Jennifer E. Garth with attachment;
3. Petition for Withdrawal of the Holding of Abandonment under 37 C.F.R. § 1.181;
4. Acknowledgment Postcard.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.

PATENT APPLICATION
Docket No. 34647-00405USPT
P12217US1

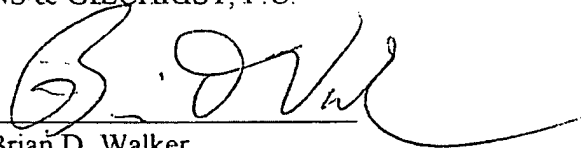
CHARGE STATEMENT: If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 C.F.R. § 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 C.F.R. § 1.20, OR credit any overpayment to our Deposit Account No. 10-0447, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By:


Brian D. Walker
Registration No. 37,751

1445 Ross Avenue
Suite 3200
Dallas, Texas 75202
Tel: 214/855-4706
Fax: 214/855-4300

(Send this document in duplicate)

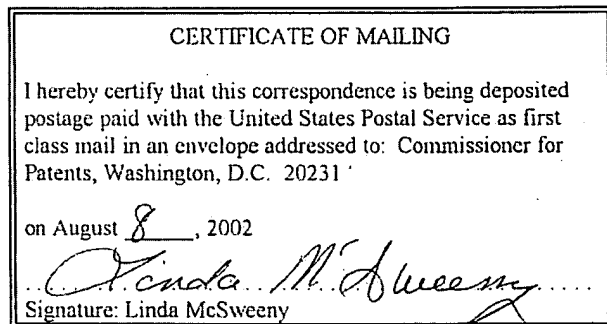
Patent Application
Docket No. 34647-00405USPT
P12217US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Anders Hoff et al.)
Serial No.: 09/467,420) Examiner: D. Nguyen
Filed December 20, 1999) Group Art Unit: 2682

For: SIGNAL PRIORITIZATION IN A COMMUNICATIONS SYSTEM

Attention: Office of Petitions
To the Commissioner for Patents
Box DAC
Washington, D.C. 20231



Dear Sir:

DECLARATION OF JENNIFER E. GARTH

I am above the age of majority and declare as follows:

- 1) I am an employee of the law firm of Jenkins & Gilchrist, A Professional Corporation and work in the Intellectual Property Department of the firm. I am personally aware of the actions taken with respect to incoming mail from the United States Patent and Trademark Office.
- 2) I receive all mail from the United States Patent and Trademark Office and log that mail when it comes in to Jenkins and Gilchrist.
- 3) An entry is made in a computerized docketing system upon receipt by Jenkins and Gilchrist of any Notice of Allowance or Notice to pay Issue Fee.
- 4) A hard copy of the docket entries is made for each Notice of Allowability and Notice of Allowance and Issue Fee Due.
- 5) The file, along with the Notice of Allowability and Notice of Allowance and Issue Fee Due, is then forwarded to the responsible attorney or agent for appropriate action to be taken.

Patent Application⁶
Docket No. 45687/00033PL
P05273US/ANH/MA

6) A review of the docket and the file in the above matter indicates that the Notice of Allowability and the Notice of Allowance and Issue Fee Due were never received by me nor was it ever entered into the Jenkins and Gilchrist docketing system for action to be taken.

7) A hard copy of the computer docket record for the above-referenced application is attached hereto and is believed to be a complete and accurate copy of the electronic records with respect to the above-referenced application.

I hereby declare that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of this application and any registration resulting therefrom.

Signed at Dallas, Texas, this 8th day of August, 2002.

By Jennifer E. Garth
Jennifer E. Garth

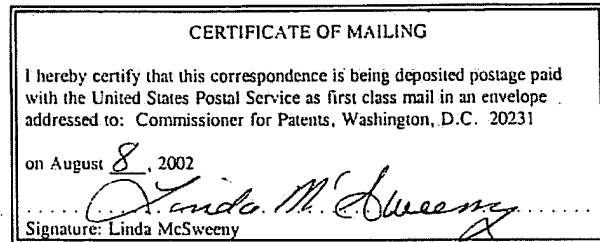
PATENT APPLICATION
Docket No. 34647-00405USPT
P12217US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re provisional patent application of: §
Anders Hoff et al. §
Serial No.: 09/467,420 § Group Art Unit: 2682
Filed: December 20, 1999 §
Examiner: D. Nguyen

For: SIGNAL PRIORITIZATION IN A COMMUNICATION SYSTEM

Attention: Office of Petitions
To the Commissioner for Patents
Box DAC
Washington, D.C. 20231



Dear Sir:

PETITION FOR WITHDRAWAL OF THE HOLDING
OF ABANDONMENT UNDER 37 C.F.R. § 1.181

Applicant hereby petitions for withdrawal of the Notice of Abandonment mailed July 10, 2002, in the above-referenced application for patent. The basis for abandonment was the alleged failure by Applicant to timely pay the issue fee. Applicant hereby submits the following evidence showing that neither a Notice of Allowability nor a Notice of Allowance and Issue Fee Due were received by Applicants' attorneys' law firm, Jenkins & Gilchrist.

As set forth in the attached Declaration of Jennifer E. Garth, who is an incoming mail docketing clerk for Applicants' attorneys' law firm, Jenkins & Gilchrist, no Notice of Allowability or Notice of Allowance and Issue Fee Due was ever received by Jenkins & Gilchrist. Further, the undersigned have also reviewed the contents of the file of the above-identified application and submit that neither the original Notice nor a record of such is contained within the file. Accordingly, Applicants submit that the Petition to Withdraw the Holding of Abandonment is in order and that the period for response of the Notice should be restarted.

PATENT APPLICATION
Docket No. 34647-00405USPT
P12217US1

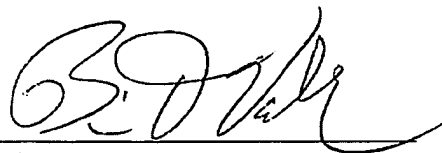
Applicants respectfully submit that this Petition should be granted based upon the facts stated herein and in the Declaration and attachments to the Declaration of Jennifer E. Garth. Applicants further respectfully request and petition the Commissioner to exercise the Commissioner's authority to waive any and all rules necessary to revive the status of this Application as it would have been prior to the Notice and to restart the period of response to the Notice and to promptly notify Applicants of the decision on the Petition.

It is believed that no fee is due for this request; however, if there is a fee, please charge our Deposit Account No. 10-0447.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By:



Brian D. Walker
Registration No. 37,751

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Dallas, Texas 75202
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